

**REMARKS**

**Status of Claims:**

Claim 6 remains cancelled. Thus, claims 1-5 and 7-22 are present for examination.

**Allowable Subject Matter:**

Applicant expresses appreciation to the Examiner for the indication that claims 15-22 are allowed.

Applicant expresses further appreciation to the Examiner for the indication that claims 3, 7, and 9-14 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 3, 7, 10-16 and 19 have been amended to correct some minor informalities and to improve clarity.

Claims 18 and 22 have been amended to recite a limitation that a mask that overlies a touch sensitive display area has holes that allow for an insertion of a user's finger to operate one or more function keys.

Claims 3, 7, 9-14, and 15-22, as amended, are still believed to be allowable.

**Prior Art Rejection:**

Claims 1, 2, 4, and 8 are rejected under 35 U.S.C. 102(e) as being anticipated by Beaton et al (U.S. Patent Number 6,608,637)(hereinafter Beaton).

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Beaton in view of Barvesten (U.S. Patent Number 6,714,802).

With respect to claims 1, 2, 4, 5, and 8, the rejections are respectfully traversed.

Independent claim 1 recites a mobile communications device comprising:

“a main display area for displaying information to a user, said main display area **not being a touch sensitive display area;**

a keypad for user data entry, and

a touch sensitive display area configured to display one or more function keys and to allow selection of one or more functions by contact with the one or more function keys of the touch sensitive display area.” (Emphasis Added)

A mobile communications device including the above-quoted features has the advantage that one or more function keys can be displayed in a touch sensitive display area while a main display area for displaying information is not a touch sensitive display area. Thus, there is no need for processing a full XY grid touch screen for the main display area or for providing power that would be required for the whole main display area to act as a touch sensitive display area. (Specification; page 2, line 25 to page 3, line 2; page 4, line 29 to page 5, line 2).

Beaton neither discloses nor suggests a mobile communications device including the above-quoted features. The device of Beaton has a note area 7700, a note pad button 7400, a quick notes button 7500, and a name list button 7600. (Beaton; FIG. 7; column 6, lines 19-30). With the device of Beaton, a user can compose a note by (a) pressing the note pad button 7400; or (b) simply touching the note area 7700. (Beaton; column 6, lines 26-31). Thus, the note area 7700 is a touch sensitive display area that responds to touching by a user. Furthermore, in Beaton, when a user is engaged in a voice call with a called party, the user can either (a) press note pad button 7400; or (b) touch note area 7700 to automatically set up a note pre-addressed to the called party. (Beaton; FIG. 8B; column 6, lines 59-64). Then, a user can compose an ink message by writing on the note area 7700. (Beaton; FIG. 8C; column 7, lines 1-2). Thus, the note area 7700 of the device of Beaton is a touch sensitive display area.

The Examiner states that, “Beaton’s display area is not arranged as a touch sensitive area when used as display.” However, the recitation in the claim of “said main display area not being a touch sensitive display area” is a structural limitation and not a temporal process limitation. Thus, it does not matter that sometimes the note area 7700 in Beaton does not need to be touched. The note area 7700 in Beaton is still a touch sensitive display area even when being used as a display because the note area 7700 must be ready to accept user input in

the form of a touch to allow for composing a note or writing an ink message. (Beaton; column 6, line 26 to column 7, line 2). Thus, the note area 7700 in Beaton would still require the processing capability and needed power to function as a touch sensitive display area.

Therefore, independent claim 1 is neither disclosed nor suggested by the cited prior art and, hence, is believed to be allowable.

The dependent claims are deemed allowable for at least the same reasons indicated above with regard to the independent claim from which they depend.

**Conclusion:**

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date March 18, 2005

By Justin M. Sobaje

FOLEY & LARDNER LLP  
Customer Number: 22428  
Telephone: (310) 975-7965  
Facsimile: (310) 557-8475

Justin M. Sobaje  
Attorney for Applicant  
Registration No. 56,252